

REMARKS

In accordance with above amendments, claims 62 and 63 have been canceled. Claims 51, 52, 55, 60-61 and 64 have been amended and new claims 65-66 have been added. Thus, claims 51, 52, 53, 55-57, 59-62 and 64-66 remain under consideration in this application. No claim has been allowed.

It is believed that the amendments to the claims clearly clarify language in the claims and, it is believed, the claims presently distinguish over the cited combinations of art, as will be discussed.

Claim 64 is believed to distinguish over the combination of Brandt, (U.S. Patent 5,851,100) in view of McNeilus et al (U.S. Patent 5,833,429), both of record. Brandt discloses an auto-cycle swivel mounted container handling system which includes a mechanized arm arrangement, container grabber device, extension/retraction arm rotation and grabber operation and a programmed micro-processor control system for operating the container handling system. It should be noted, for example, however, that, contrary to the Examiner's view, the arm of Brandt, far from being a one-piece curved member, consists of articulated sections 24 and 26 and a complicated linkage system for pivoting element 24 and pivoting element 26 with reference to element 24 and also pivoting the grabber relative to the arm.

Brandt does not teach anything with regard to reducing the required lateral or height clearance as is the case in the present invention as claimed. The curvature of lift arm 26 of Brandt as seen in the figures, particularly Figures 2 and 3, is only useful in storage and accessing containers. As the Examiner will appreciate, in the lift and dump sequence of the Brandt device, the segments 24 and 26 are fully extended and linearly aligned.

It should be noted further that the arms of McNeilus et al '429, as shown particularly in Figure 8, are slightly bent also only in order to store the grabber system. Neither Brandt '100 nor McNeilus et al '429 include a telescoping boom.

It is further believed that the combination of Brandt and McNeilus et al, as applied above, further in view of Duell et al (U.S. Patent 6,123,497) and Tordenmalm et al (U.S. Patent 4,896,592), both also of record as applied to claim 59, and Brandt and McNeilus et al with Sizemore et al (U.S. Patent 5,505,576) as applied to claims 51, 55, 56, 60 and 63 (65) also fall short of rendering those claims unpatentable. Shortcomings of the combination of McNeilus et al and Brandt with respect to the system of the invention clearly are not remedied by either Duell et al or Tordenmalm et al with respect to either independent claim 64 or dependent claim 59. In addition, reason is shown by the references as to why the combination

would be an advantage given the container handling systems of Brandt and McNeilus et al.

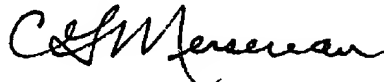
It is believed this is a fundamental difference which allows the independent claims to clearly distinguish over the primary combination and, because of this, it is believed that the additional references applied to the claims do not cure the fundamental shortcomings of the primary combination.

The claims are now believed in condition for allowance and, this being the case, the Examiner is respectfully requested to reconsider his position and withdraw the current rejections and allow the present claims.

Reconsideration and early allowance of the present claims is respectfully requested.

Respectfully submitted,

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